

Docket No.: PE-0531 USN

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, Attn: Box PCT, Washington, D.C. 20231 on July 3, 2001

By: Kathleen K. MutoPrinted Name: ~~Nancy Ramos~~ KATHLEEN K. MUTO

#3

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Bandman et al.

Title: CELL CYCLE REGULATION PROTEINS

Serial No.: 09/701,675

Filing Date: November 28, 2000

Examiner: To Be Assigned

Group Art Unit: To Be Assigned

Box PCT
Commissioner for Patents
Washington, D.C. 20231

RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS
UNDER 35 U.S.C. § 371

Sir:

In response to the "Notice to File Missing Requirements" mailed by the United States Patent and Trademark Office on May 3, 2001, Applicants submit the following documents to complete the filing for the above-identified patent application:

1. Return postcard;
2. Copy of Notification of Missing Requirements Under 35 U.S.C. § 371 dated May 3, 2001 (1 pg.);
3. Executed Declaration and Power of Attorney for United States Patent Application (5 pp.);
4. Request to Transfer (1 pg., in duplicate); and
5. Copy of Notification to Comply with Requirements for Patent Applications
Containing Nucleotide Sequence and/or Amino Acid Sequence Disclosures dated May 3, 2001 (1 pg.)

Please charge the following fees to **Deposit Account No. 09-0108**:

Basic surcharge fee for filing the declaration under 37 CFR 1.492(e) \$ 130.00

Total fees charged to Deposit Account No. 09-0108: \$ 130.00

If the Patent Office determines that additional fees are due or that an excess fee has been paid, the Patent Office is authorized to debit or credit (respectively) **Deposit Account No. 09-0108**.

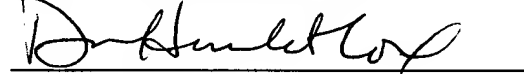
If there are any questions regarding the above, the Examiner is invited to call the undersigned at 650-855-0555.

This response is enclosed in **duplicate**.

Date: 3 July 2001

Respectfully submitted,

INCYTE GENOMICS, INC.



Diana Hamlet-Cox

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I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, Attn: Box PCT, Washington, D.C. 20231 on July 5, 2001

By: Kathleen K. Muto

Printed Name: ~~Nancy Ramos~~ KATHLEEN K. MUTO

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Bandman et al.

Title: CELL CYCLE REGULATION PROTEINS

Serial No.: 09/701,675

Filing Date: November 28, 2000

Examiner: To Be Assigned

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Box PCT
Commissioner for Patents
Washington, D.C. 20231

REQUEST TO TRANSFER

Sir:

This paper is responsive to the Notification of a Defective Response (copy attached) which was mailed on May 3, 2001.

With regard to the requirement of 37 CFR 1.821(e) which requires that a copy of the Sequence Listing in computer readable form (CRF) be submitted, Applicants state that the paper copy of the Sequence Listing for the instant application is identical with the computer readable form filed with PCT Application No. PCT/US99/12903, filed June 8, 1999, in the US/RO to which priority is claimed. In accordance with 37 C.F.R. §1.821(e), please use the computer readable form filed with PCT Application No. PCT/US99/12903 as the computer readable form for the instant application. It is understood that the Patent and Trademark Office will make the necessary change in application number and filing date for the computer readable form that will be used for the instant divisional application.

Applicants believe that no fee is due with this communication. However, if the USPTO determines that a fee is due, the Commissioner is hereby authorized to charge Deposit Account No. 09-0108. This form is enclosed in duplicate.

Respectfully submitted,

INCYTE GENOMICS, INC.

Date: 3 July 2001



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Patent Department
Received
MAY - 8 2001



UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents, Box PCT
United States Patent and Trademark Office
Washington, D.C. 20231
www.uspto.gov

U.S. APPLICATION NO.

09701675

FIRST NAMED APPLICANT

BANDMAN

ATTY. DOCKET NO.

PF-0531 USN

INTERNATIONAL APPLICATION NO.

PCT/US99/12903

I.A. FILING DATE

08 JUN 99

PRIORITY DATE

08 JUN 98

DATE MAILED

03 MAY 2001

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

1. The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as:

- ☒ U.S. Basic National Fee. ☐ Indication of Small Entry Status.
☒ Copy of the international application. ☐ Translation of the international application into English.
☐ Oath or Declaration of inventors(s). ☐ Translation of Article 19 amendments into English.
☐ Copy of Article 19 amendments. ☐ Other:
☐ Priority Document.
☐ The International Preliminary Examination Report in English and its Annexes, if any.
☐ Translation of Annexes to the International Preliminary Examination Report into English.

2. ☐ Applicant has requested early processing under 35 U.S.C. 371(f) but has not filed the following indicated items and/or the indicated items in paragraph 3 below. The Basic National Fee and the copy of the international application must be filed prior to 20 or 30 months from the priority date to avoid abandonment.

- ☒ U.S. Basic National Fee. ☒ Copy of the international application.

3. The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- ☐ a. Translation of the application into English. A processing fee will be required if submitted later than the appropriate 20 or 30 months from the priority date.
☐ The current translation is defective for the reasons indicated on the attached Notice of Defective Translation.
☐ b. Processing fee for providing the translation of the application and/or the Annexes later than the appropriate 20 or 30 months from the priority date (37 CFR 1.492(f)).
☒ c. Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), properly identifying the application (preferably by the international application number and international filing date). A surcharge will be required if submitted later than the appropriate 20 or 30 months from the priority date.
☐ The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) for the reasons indicated on the attached PCT/DO/EO/917.
☒ d. Surcharge for providing the oath or declaration later than the appropriate 20 or 30 months from the priority date (37 CFR 1.492(e)).

4. Additional claim fees of \$ _____ as a ☐ large entity ☐ small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due (37 CFR 1.492(g)). See attached PTO-875.

5. ☒ Applicant has not submitted the required sequence listing pursuant to 37 CFR 1.821-1.825. See attached PCT/DO/EO/920.

ALL OF THE ITEMS SET FORTH IN 3(a)-3(d), 4 AND 5 ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 22 OR 32 MONTHS (where 37 CFR 1.495 applies) FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

6. If box 3a or 3c is checked, a translation of the Annexes **MUST** be submitted no later than the time period set above or the Annexes will be cancelled. A processing fee will be required if submitted later than 20 or 30 months from the priority date.
7. ☐ The Article 19 amendments are cancelled since a translation was not provided by the appropriate 20 (37 CFR 1.494(d)) or 30 (37 CFR 1.495(d)) months from the priority date.

Applicant is reminded that any communication to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above. (37 CFR 1.5)

A copy of this notice *MUST* be returned with this response.

Enclosed: ☐ PCT/DO/EO/917 ☐ Notice of Defective Translation
☐ PTO-875 ☒ PCT/DO/EO/920

ANITA D. JOHNSON

FORM PCT/DO/EO/905 (March 2001)

Telephone: 703-305-3661